

Updated: 11-03-2009

Tab Number	Date	Description	Reference
1.	December 12, 1991	Letter to William Vaughan, staff of Congressman Pete Stark, from Zach Bentley - thanking Mr. Vaughan for testimony information, stating it would be helpful in VAC's suit, stating Mr. VAC would be back in touch with Mr. Vaughan with valuable information regarding the flagrant violations that are occurring in the home infusion business	VAC MDL 64818
2.	April 28, 1992	<i>Letter to Pete Stark from Luis Cobo - "Our investigation of the matter to date indicates that the joint venture arrangement is a strong financial and contractual method of locking in lucrative referrals of patients requiring expensive infusion therapy. The venture has indicated that it is not, at least directly, treating Medicare or Medicaid patients."</i>	VAC MDL 64730 - 64742
3.	May 7, 1992	<i>Letter to Richard Kusserow (Inspector General) from Pete Stark "The writer of the memo reports that his 'corporate investment structure' is likely to be replicated in a number of other locations, thus creating a spreading anti-competition problem. I wonder if your staff would see any areas where there may be violations that should have investigated. While this would not help the company that has provided me with this information, I am amazed at the apparent level of profit in providing these drugs to patients. I wonder whether the attached data could help HHS and the Congress to better understand what might be a more reasonable Medicaid payment rate for these type of drugs."</i> (Note: no attachments)	VAC MDL 64729

Tab Number	Date	Description	Reference
4.	August 7, 1992	Letter to Judith A. Moreland, Federal Trade Commission, with a copy to Bill Vaughan, Staff for Congressman Pete Stark, from James J. Breen enclosing infusion therapies for AIDS patients. Encloses pricing on Vancomycin Hydrochloride.	VAC MDL 73854-73870
5.	September 9, 1992	Letter from Luis Cobo, President, Ven-A-Care of the Florida Keys, Inc. To Bryan B. Mitchell, Principal Deputy Inspector General regarding Immunecare joint venture. <i>We believe that the joint venture promoted by NMC and Dr. Siegel is a blatant example of a prohibited kickback, rebate and split fee arrangement. The physician joint venture splits the fees received for pharmaceutical drugs and services with NMC.</i>	VAC MDL 64109-64123
6.	September 11, 1992	Letter from Zachary Bentley, Ven-A-Care of the Florida Keys, Inc. to William Vaughn, Staff to Congressman Pete Stark illuminating profits on Immunoglobulin and Gentamycin therapies related to the Immunecare joint venture. <i>Also, as disturbing, is a billing process being utilized that churns prescriptions in order to reap huge profits off of therapies whose reimbursement is otherwise in line with cost.</i>	VAC MDL 64700-64704

Tab Number	Date	Description	Reference
7.	May 28, 1992	Letter to Fortney H. Stark from Richard Kusserow - response to 05/07/92 letter <i>"We are concerned about the implied inflation of the cost of drugs identified by Mr. Cobo, and the possible impact that it may have on the Medicaid program. We will look closely at this arrangement to determine whether the individuals and entities involved are enriching themselves to the detriment of both the Federal Government and those individuals who suffer from the effects of the HIV infection."</i>	VAC MDL 64091
8.	February 17, 1993	Letter from principals at Ven-A-Care to Hillary Rodham Clinton, Chairperson, Presidential Task Force on Health Care Reform.	VAC MDL 95537 - 95538
9.	May 5, 1993	Letter from Zachary T. Bentley, Ven-A-Care to William Vaughn, Staff to Congressman Pete Stark illuminating profits on Lipids as a result of Medicare reimbursement <i>Enclosed ... I think Congressman Stark will find it AMAZING that Medicare is allowing profits in excess of 950%.</i>	VAC MDL 64694-64698
10.	May 18, 1993	Letter from Zachary T. Bentley, Ven-A-Care to William Vaughn, Staff to Congressman Pete Stark illuminating profits on TPN from Medicare and Florida Medicaid.	VAC MDL 64662-64698
11.	June 2, 1993	<i>Letter to Zachary Bentley from Pete Stark Thank you for the very useful information on infusion charges v. costs.</i> <i>-Pete Stark</i>	VAC MDL 64661

Tab Number	Date	Description	Reference
12.	January 5, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS including revised reimbursement/cost comparison for TPN.  <i>...the outrageous profits that are generated by Medicare TPN reimbursement is causing numerous problems in the health care system. I feel that these excessive profits encourage tying arrangements between physicians and pharmacy providers which can also lead to over utilization.</i>	VAC MDL 74306-74315
13.	January 12, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS including cost analysis for TPN.	VAC MDL 74295-74305
14.	February 1, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS providing contract prices for Abbott Laboratories, Inc. and McGaw	VAC MDL 74262 - 74294
15.	February 7, 1994	Zachary Bentley and T. Mark Jones, Ven-A-Care have a meeting with Maritza Penniston and Jerry Dunham of the OIG. Ms. Penniston was from the audit office in Jacksonville, FL and Mr. Dunham from Atlanta, GA	Jones, March 18, 2008, 285: 12-289:1;
16.	February 24, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS providing prices for Abbott Laboratories, Inc. Hospital Products Division. Includes prices for Dextrose 5%, Sodium Chloride 0.9%, Water for Injection, Vancomycin and other drugs in various forms.	VAC MDL 74185 - 74252
17.	February 24, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS enclosing copies of TPN pricing from HealthProv, Inc. and other provider.	VAC MDL 81168 - 81173 VAC MDL 74253 - 74257

Tab Number	Date	Description	Reference
18.	March 2, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS providing chart on Average Wholesale Price for TPN Ingredients versus VAC's Cost.	VAC MDL 81175 - 81179 VAC MDL 74181 - 74184
19.	August 11, 1994	Letter from Luis E. Cobo, President, Ven-A-Care to the Palmetto GBA-C Medicare Program returning reimbursement money for Lipids on various patients.	VAC MDL 43026 - 43040
20.	September 19, 1994	Letter from Luis E. Cobo, President, Ven-A-Care to the Palmetto GBA-C Medicare Program returning reimbursement money for Lipids on various patients.	VAC MDL 43041 - 43046
21.	October 12, 1994	Letter from Zachary T. Bentley to Maritza Penniston, HHS OIG-OAS enclosing copy of Florida Infusion's monthly catalog for October 1994 (catalog not attached to file copy). Also enclosed is advertisement and listings on Immuneoglobulin.	VAC MDL 50518 - 50525 VAC MDL 74167 - 74174
22.	October 14, 1994	Letter from Zachary T. Bentley, Ven-A-Care to William Vaughn, Staff to Congressman Pete Stark, illuminating Medicare reimbursement findings-- ...hundreds of millions of dollars of <i>Medicare and Medicaid funds are being paid each year to providers for pharmaceuticals at profit margins sometimes exceeding 1,000%.</i> Letter attaches chart on IVIG and Leucovorin.	VAC MDL 64652 - 64660
23.	October 14, 1994	Letter to William Vaughan from Zach Bentley - Thanking him for letter dated 09/20/94 to Janet Reno. <i>Our concern over both excessive reimbursements for parenteral nutrition, TPN and . . . IDPN . .</i>	VAC MDL 64035 - 64038

Tab Number	Date	Description	Reference
24.	October 27, 1994	Letter from Zachary T. Bentley, Ven-A-Care to Christine White, Esq. of FTC attaching copy of letter to William Vaughn, Staff to Congressman Pete Stark illuminating Medicare reimbursement findings— <i>...hundreds of millions of dollars of Medicare and Medicaid funds are being paid each year to providers for pharmaceuticals at profit margins sometimes exceeding 1,000%. Letter attaches chart on IVIG and Leucovorin.</i>	VAC MDL 73891 - 73902
25.	October 31, 1994	Letter from Zachary T. Bentley, Ven-A-Care, to Jerry Wells, Director of Pharmacy Services, Agency for Health Care Administration, State of Florida regarding inflated profits in the industry and AWP reimbursement.	VAC MDL 71201
26.	November 4, 1994	Letter from Zachary T. Bentley, Ven-A-Care, to Jerry Wells, Director of Pharmacy Services, Agency for Health Care Administration, State of Florida attaching Redbook pages and charts on Sandoglobulin, Venoglobulin, Gamimune and Gammar”.	VAC MDL 65800 - 65804
27.	November 4, 1994	Telephone conference between Ven-A-Care and Peter Barbera, OIG. Letter from T. Mark Jones, Ven-A-Care to Peter Barbera, OIG, forwarding copy of letter enclosing copy of VAC’s contract price with Abbott Labs and copy of invoice for purchase of prepared TPN and package insert.	VAC MDL 81208 - 81218 VAC MDL 74033 - 74044
28.	November 14, 1994	Letter from Zachary Bentley, Ven-A-Care, Susan McLeod, Agency for Health Care Administration, State of Florida, regarding ““Free prescription drugs””. Attaches 10/26/94 letter to Dear Pharmacist (sent to Cobo Pharmacy) from Dennis Kenez of The Upjohn Company enclosing a free bottle of Colestid Tablets. “	VAC MDL 71209 - 71211

Tab Number	Date	Description	Reference
29.	December 9, 1994	Letter from Zachary T. Bentley, Ven-A-Care, to Alicia Valle, Assistant United States Attorney, Southern District of Florida, regarding discrepancies in Medicare reimbursement.	<p>Document recorded as privileged but Ven-A-Care, without generally waiving privilege and with the belief that production of the document is consistent with prior rulings of this court, is now producing the document and attaching it to the Declaration of T. Mark Jones.</p> <p>Internal Bates #2202500 – 2202513, MPL 64.</p>
30.	February 21, 1995	Letter from Zachary T. Bentley to Gerald Dunham, HHS-OIG, Audit, regarding excessive Medicare profits.	VAC MDL 74023 - 74025
31.	June 1, 1995	Letter from Zachary Bentley, Ven-A-Care, to Aimee R. Kornegay-Nelson (Medicare/ Palmetto Government Benefits) regarding Drug Pricing and reimbursement. Attaches weekly specials 5/30/95 to 6/2/95 from Florida Infusion.	VAC MDL 48619 - 48622

Tab Number	Date	Description	Reference
32.	June 23, 1995	Ven-A-Care conference with Alicia Valle, Assistant United States Attorney for the Southern District of Florida, and delivery of substantially all information supporting the Complaint prior to filing of initial Complaint.	<p>Privilege Log</p> <p>Letter to Janet Reno, Attorney General for the United States and Kendall Coffey, Esq., U.S. Attorney's Office, Southern District of Florida</p> <p>MPL 16 VAC MDL 71362 – 74703</p> <p>Only examples of prices contained in the disclosure have been attached to this Declaration as part of the composite Exhibits C through E. The examples are a representation of the pricing information provided to the Government by Ven-A-Care prior to filing of its initial complaint in the Southern District of Florida.</p>
33.	July 5, 1995	Letter from Zachary Bentley to the Palmetto GBA-C Medicare Program returning reimbursement money for parental nutrition solutions on various patients.	VAC MDL 43047 - 43055
34.	July 7, 1995	Letter from Zachary Bentley to Mark Lavine, Assistant United States Attorney, Southern District of Florida enclosing 1995 Red Book.	VAC MDL 2201720
35.	July 12, 1995	Letter from Zachary Bentley enclosing 1995 First DataBank Blue Book.	VAC MDL 2201721



Tab Number	Date	Description	Reference
36.	August 25, 1995	Facsimile transmittal from Ven-A-Care to Mark Lavine, Assistant United States Attorney, Southern District of Florida, forwarding copy of letter to Criticare of Florida Keys/Zachary Bentley from Randy W. Durbin dated 8/25/95 regarding pharmacy price quotes from Pulmo Dose. The Pulmo Dose document includes pricing for Ipratroprium Bromide and Albuterol.	VAC MDL 48643 - 48644
37.	August 29, 1995	Fax transmittal from T. Mark Jones, Ven-A-Care, to Sally Strauss, Trial Attorney, U.S. Dept. of Justice, regarding statistical information compiled by Ven-A-Care. Attachments: Letter dated 8/25/99 to Z. Bentley at Ven-A-Care regarding pharmacy price quotes from Pulmo Dose with attached charts. The Pulmo Dose document includes pricing for Ipratroprium Bromide and Albuterol.	VAC MDL 79801 - 79811
38.	August 29, 1995	Facsimile transmittal to Mark Lavine, Assistant United States Attorney, U.S. Department of Justice, forwarding copy of 1994 Medicare Drug Costs and Medicare Inhalation Drugs including charts showing cost and Medicare utilization of albuterol, among other drugs.	VAC MDL 80390 - 80395
39.	August 29, 1995	Fax sheet to Mead Farmer, OIG, from Zachary Bentley and Mark Jones regarding AWP & drug pricing for Medicare & Medicaid. Attaches: (1) 8/25/95 letter to Criticare from Pulmo Dose/Carefree Solutions - pharmacy price quote including Ipratroprium Bromide and Albuterol; (2) chart with Medicare Inhalation drugs including Albuterol; and (3) Drug Topics 2/6/95 Medicaid Rx Reimbursement Report; (4) Salter Labs Nebulizer (5) chart 1994 Medicare Drug Costs (6) specific patient reimbursements	VAC MDL 81231 (JUST THE FIRST PAGE)- 81238; VAC MDL 61035 - 61045

Tab Number	Date	Description	Reference
40.	August 29, 1995	Fax Sheet from Zachary Bentley to William Vaughn, Staff of Congressman Pete Stark, regarding: statistical info and Pulmo Dose identical to that sent to Mead Farmer on that same date.	VAC MDL 64633 – 64639; VAC MDL 64640 - 64646
41.	September 5, 1995	Fax from Mark Jones to Keith Lynn, Staff for Senate Finance Committee, attaches: (1) 10/14/94 letter from VAC to Bill Vaughn; (2) various charts including chart with Albuterol cost to Ven-A-Care and Medicare utilization; Pulmo Dose letter; and (3) patient specific examples	VAC MDL 68824 - 68836
42.	September 14, 1995	Meeting between Ven-A-Care and members of the Health Care Financing Administration and Department of Justice including chart with Ven-A-Care cost of Albuterol and spread information.	VAC MDL 86162 – 86175 Jones, December 8, 2008, 835:10-840:17; Jones, December 9, 2008, 1092:11-1094:9
43.	September 18, 1995	Fax transmittal from Luis Cobo to Sally Strauss, Trial Attorney, U.S. DOJ, with attached advertisements regarding pharmacies taking advantage of reimbursement spreads.	VAC MDL 85680 - 85684

Tab Number	Date	Description	Reference
44.	November 21, 1995	Facsimile transmittal from Mark Jones to Sally Strauss regarding Red Book Marketing attachments.	2202022 - 2202025  MPL 33  Document recorded as privileged but Ven-A-Care, without generally waiving privilege and with the belief that production of the document is consistent with prior rulings of this court, is now producing the document and attaching it to the Declaration of T. Mark Jones
45.	November 28, 1995	Fax transmittal attached to a hand-written letter to Mark Lavine, Esq. and Sally Straus, Esq. from Zachary Bentley dated 11/28/95 enclosing a flyer put out by King Pharmaceuticals, Inc. regarding Morphine Sulfate Injection, USP CII.	VAC MDL 85685 - 85687
46.	January 26, 1996	Meeting in Washington, D.C. between Ven-A-Care, its counsel and Trial Attorneys Sally Strauss and Mike Theis.	
47.	March 19, 1996	Fax to Rob Vitto, OIG, from Zachary Bentley regarding Albuterol with Dey prices attached, for Albuterol and Cromolyn Sodium with information regarding the AWP's, 12/30/95 article from the Herald - Ivax's asthma drug gets FDA approval and sheets from Zenith Goldline	VAC MDL 49888 - 49896
48.	March 20, 1996	Fax to Rob Vitto, OIG, from Zachary Bentley regarding Albuterol, including Dey's albuterol, - & 02 concentrators - all equipment attachments	VAC MDL 49881 - 49887

Tab Number	Date	Description	Reference
49.	March 20, 1996	Fax to Rob Vitto, OIG, from Zachary Bentley regarding Pulmodose.	VAC MDL 49875 - 49880
50.	March 22, 1996	Fax to Rob Vitto, OIG, from Zachary Bentley regarding Albuterol, including Dey's Albuterol, with attachments-- catalog pages and Professional Service Agreement between Pro Med Enterprises & Criticare	VAC MDL 49859 - 49874
51.	March 26, 1996	Fax transmittal to Mike Theis stating Ven-A-Care's intent to add Dey as a Defendant. The fax includes information regarding Dey's AWP for Albuterol and Cromolyn Sodium. Also forwards article regarding "Ivax's Asthma Drug Gets FDA Approval" and advertisements regarding the drug Albuterol.	VAC MDL 97552 - 97562
52.	April 18, 1996	Facsimile transmittal to Mark Lavine and Mike Theis from Zachary Bentley forwarding copy of hand-written letter to Mark Lavine and Mike Theis regarding Albuterol and includes Red Book AWP's for albuterol, including Dey's AWP.	VAC MDL 85688 - 85695
53.	June 12, 1996	Fax transmittal to Mike Theis, Trial Attorney, U.S. DOJ, forwarding index of exhibits and charts regarding various drugs including comparison of VAC prices with Medicare allowable. Drugs include: Albuterol and Cromolyn Sodium.	VAC MDL 81239 - 81263

Tab Number	Date	Description	Reference
54.	July 8, 1996	Fax to Rob Vitto from Luis Cobo enclosing most of the supporting documentation regarding the National Medicaid Survey for infusion drugs and parenteral nutrition conducted by Ven-A-Care: (1) Copies of the letters requesting information to all states, (2) copies of written and faxed responses (3) copies of notes made from phone responses (4) copies of the survey response forms (5) copies of Medicaid manual covers and pertinent reimbursement information (6) Medicaid TPN Reimbursement Survey Summary.	VAC MDL 50134 - 50185
55.	July 15, 1996	Fax to Rob Vitto and Daniel Lai, OIG, regarding Abbott's cost of TPN including cost of Dextrose.	VAC MDL 81339 – 81342
56.	October 2, 1996	Letter from Ven-A-Care to Bruce Vladeck RE: Excessive Reimbursements for Certain Pharmaceuticals by the Medicare and Medicaid Programs <i>Unfortunately, the pharmaceutical manufacturers have circumvented the intent of the government's reimbursement methodology by falsely reporting inflated AWP pricing information enabling providers to reap windfall profits from the provision of infusion and respiratory drugs.</i>	Abbott Motion for Summary Judgment, Exhibit F  (in lieu of attaching the following voluminous documents, Relator refers the Court to the above citation to Abbott's Motion for Summary Judgment) VAC MDL 0001 - 1140 VAC MDL 48687 - 48688 VAC MDL 48689 - 48691

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57.	October 8, 1996	Fax to William Vaughn from Zach Bentley. <i>RE: Letter to Vladeck - Please do not disclose - if you have any ideas or avenues that we can pursue please let us know. As always thanks for your help.</i> Attaches 10/02/96 letter from VAC to Bruce Vladeck (HCFA).	VAC MDL 64578 - 64585
58.	October 28, 1996	Letter from Rob Vitto to Ven-A-Care thanking Ven-A-Care for its assistance to the OIG and requesting catalogs from manufacturers and buying groups that could provide pricing information on prescription drugs.	VAC MDL 83706 - 83707
59.	December 3, 1996	Letter to Thomas Hoyer, Health Care Financing Administration, from Ven-A-Care regarding "New HCFA Policy Governing Reimbursement for Nebulizer Medications" includes discussion of split fees and kickbacks and uses Albuterol Sulfate 0.83% as an example. Copy sent to Mike Theis, Trial Attorney, U.S. DOJ.	VAC MDL 48700 - 48703 VAC MDL 48706 - 48708 VAC MDL 48704 - 48705
60.	December 12, 1996	Letter to Rob Vitto from Zachary Bentley and Mark Jones regarding Inhalation Drugs - 12/12/96 letter & attachments -enclosed you will find a copy of or letter dated 12/3/96 to HCFA's Thomas Hoyer. Since the announcement by HCFA of the new Medicare billing policy for inhalation drugs, both VAC and our home health agency, Criticare, have been inundated with offers by various companies to participate in questionable "split-fee" and Kick-back" arrangements. "	VAC MDL 49851 - 49858
61.	January 27, 1997	Meeting with Representatives of House Ways and Means Committee	

Tab Number	Date	Description	Reference
62.	January 28, 1997	Conference between Ven-A-Care, its counsel and attorneys at Department of Justice in Washington, D.C.	
63.	February 4, 1997	Fax transmittal to Rob Vitto from Ven-A-Care regarding Dey Labs Pricing for Ven-a-Care. Discusses Albuterol Sulfate 0.083% 3 ml per 25 is \$9.00 and Ipratropium Bromide prices for both Dey and Roxane. Attaches Dey's Contract pricing.	VAC MDL 49845 - 49848 VAC MDL 43554 - 43556
64.	April 4, 1997	Fax to Rob Vito from Zachary Bentley and Mark Jones providing current albuterol prices including prices for Dey's Albuterol.	VAC MDL 43585 - 43586
65.	April 29, 1997	Meeting with members of OIG in Philadelphia, Pennsylvania	
66.	May 28, 1997	Letter to Rob Vito from Zach Bentley and Mark Jones re: Per Your Request - attaching Florida Infusion catalog pages	VAC MDL 83804 - 83829
67.	May 29, 1997	Facsimile transmittal to Mark Lavine forwarding copy of Memo regarding the introduction of Generic Zovirax by Abbott Laboratories.	VAC MDL 81056 - 81057
68.	May 30, 1997	Fax transmittal to Reed Stephens forwarding Memo to All Interested Parties regarding Introduction Abbott Acyclovir Update #1 including prices, description of price reduction and conversation with Dennis Walker.	VAC MDL 83911 - 83920
69.	June 6, 1997	Fax transmittal to Reed Stephens forwarding Memo Update regarding Acyclovir.	VAC MDL 81058 - 81060

Tab Number	Date	Description	Reference
70.	June 19, 1997	Fax transmittal to Rob Vito and Linda Ragone including Dey Contract with GNYHA and includes a note that prices are going down. Includes prices for Albuterol, Ipratropium Bromide and Cromolyn Sodium.	VAC MDL 43646-43650
71.	July 26, 1997	Facsimile transmittal forwarding to Mark Lavine and Reed Stephens copy of letter dated 7/26/97 to Jerry Wells regarding Florida Medicaid reimbursement for Albuterol Sulfate 0.083% and enclosing VAC's true cost prices for Albuterol Sulfate and other common drugs used for inhalation.	VAC MDL 45083 - 45087
72.	October 17, 1997	Letter to Zach Bentley from Rob Vito - thanks for your assistance - could you dig us up some pricing information on the following: J7620, J7645, J7610, J7670, J7625 & J7660	VAC MDL 43702 - 43703
73.	November 10, 1997	Fax to Rob Vitto from Zachary Bentley attaching JJ Balan sheet on Albuterol.	VAC MDL 43712 - 43714
74.	November 10, 1997	Facsimile transmittal to Mark Lavine forwarding copy of advertisement for Albuterol.	VAC MDL 85726 - 85729
75.	November 24, 1997	Fax transmittal to Rob Vitto regarding Inhalation Drug Prices for JJ Balan including albuterol, cromolyn sodium and ipratropium bromide prices for Dey drugs.	VAC MDL 43715 - 43720
76.	December 9, 1997	Enclosed 1998 Florida Infusion Catalog with current drug prices that you requested (not attached to the letter)	VAC MDL 43721



Tab Number	Date	Description	Reference
77.	December 24, 1997	Fax to Pete Stark from Zachary Bentley and Mark Jones Fax Sheet to Bill Vaughn attaching letter to Pete Stark RE: Merry Christmas & thanks for all your help over the years. Together we can fix this abuse in '98 Letter RE: The Wholesale Looting of a Billion Dollars Annually of Federal and States' Monies Through the States' Medicaid Pharmacy Benefits Programs <i>"The Medicaid pharmacy expenditures for your home State of California alone are now more than 1.5 Billion Dollars annually and covers in excess of 60,000 national drug codes."</i> Attaches Medi-Cal charts	VAC MDL 64463 - 64471
78.	January 29, 1998	Fax to Rob Vitto regarding Proventil (Albuterol) & Copy of IG letter (1/20/98 letter to ZB from George Grob of OIG)	VAC MDL 43440 - 43444
79.	January 30, 1998	Letter to Rob Vito from Zach Bentley - Enclosed (1) Trial catalog & (2) Wound Therapy Specialist (catalogs not attached)	VAC MDL 43445
80.	January 30, 1998	Letter to Rob Vito from Zach Bentley - Enclosed (1) Medical Specialties catalog & (2) Suburban Ostomy (catalogs not attached)	VAC MDL 43446
81.	January 30, 1998	Letter to Rob Vito from Zach Bentley - RE: Harvard Drug Group - background and contract terms	VAC MDL 43447 - 43453
82.	February 3, 1998	Letter to Rob Vitto regarding Dey albuterol rebate - attaching pricing from Anda.	VAC MDL 43454 - 43456
83.	February 3, 1998	Fax to Rob Vito from Zach Bentley re: Warrick Albuterol - attaching Warrick Pharmaceuticals Discount Check Promotion effect 02/01/98	VAC MDL 43498 - 43500 VAC MDL 49930 - 49933

Tab Number	Date	Description	Reference
84.	February 10, 1998	Letter to Rob Vito regarding albuterol and attaching pricing and an invoice.	VAC MDL 43457 - 43460
85.	February 11, 1998	Fax to Rob Vito from Zach Bentely re: Proventil/Albuterol attaching 03/099/98 - 03/14/98 sheet from Anda	VAC MDL 43501 - 43503 VAC MDL 49926 - 49929
86.	February 17, 1998	Fax to Rob Vito from Mark Jones -- "Enclosed are several of VAC's current price lists from various vendors . . . include Medical Specialties, Abbott Laboratories, McGaw & GNYHA (attachments not included)" However, GNYHA would have Roxane Ipratropium Bromide prices as well as albuterol and other inhalation medications.	VAC MDL 84206
87.	February 24, 1998	Fax to Rob Vito from Zach Bentley re: Proventil (albuterol) Warrick by Anda & Stark II Regulations information provided by OTN.	VAC MDL 43461 - 43477
88.	March 19, 1998	Presentation to National Association of Medicaid Fraud Control Units	VAC MDL 78035-78389
89.	March 20, 1998	Presentation to Health Care Financing Administration	VAC MDL 86162-86565
90.	May 14, 1998	Letter to Rob Vito from Mark Jones enclosing disks from Greater New York as well as the instructions for loading the prices. GNYHA databases would have included pricing for inhalation drugs including Albuterol and Ipratropium Bromide.	VAC MDL 43521 - 43523

Tab Number	Date	Description	Reference
91.	July 7, 1998	Fax to Reed Stephens and Mark Lavine including chart on Abbott drugs.	2205740 - 2205744 2200713 - 2200720  MPL 266  Document recorded as privileged but Ven-A-Care, without generally waiving privilege and with the belief that production of the document is consistent with prior rulings of this court, is now producing the document and attaching it to the Declaration of T. Mark Jones
92.	August 13, 1998	Fax to Rob Vito regarding Dey's albuterol - attaching ServAll Members flyer.	VAC MDL 43543 – 43545
93.	September 22, 1998	Fax to Reed Stephens from Ven-A-Care re: Abbott's true pricing going down - forwarding copy of letter to Rudy Ciccarello of Florida Infusion from Clifford Krajewski enclosing "Florida Infusion price Changes" article and charts.	VAC MDL 79504 79511
94.	November 24, 1998	Fax to Zachary Bentley and Mark Jones from Bill Vaughan - Note - Report they did for us at your suggestion. Doing a press release, which I'd like to run by you. Attached is (1) Press Release 11/25/98, Medicare and Seniors Could save \$1 Billion per year if Medicare payments for 34 drugs were equal to prices obtained by the V.A. (2) OIG report - Comparing Drug Reimbursement: Medicare and Department of Veterans Affairs	VAC MDL 64277 – 64297

Tab Number	Date	Description	Reference
95.	November 24, 1998 (fax date) November 27, 1998 (release date)	Fax to Zach Bentley from Bill Vaughan - Zach: Pete wanted a different emphasis. This is the Final Version Attached is Press Release re-titled Inspector General Report Shows Drug Industry Overcharging Medicare 100% - then Medicare and Seniors Could Save \$1 Billion . . .	VAC MDL 64275 - 64276
96.	April 5, 1999	Fax to Rob Vito from Zach Bentley - FYI - Attaches April 1999 prices from Florida Infusion	VAC MDL 43275 - 43277
97.	June 18, 1999	Fax Sheet to Chuck Clapton from Zach Bentley RE: Affidavits of Dr. C. Everett Koop & Dr. Arnold Relman, Article by Dr. Relman - "Self Referral - What's at Stake, Pricing Charts for the States of Florida, New York, Texas & California	VAC MDL70875 - 70897
98.	June 18, 1999	Fax sheet to Chuck Clapton from Zach Bentley re: Another Chart attaches chart - Drugs Where the Medicare Programs' 20% Co-Payment Exceeds the Total Price of the Drug	VAC MDL 70871 - 70872
99.	July 9, 1999	Fax to Bill Vaughan from Zach Bentley - RE: So much for the Federal Upper Limit "FUL" Program working to put a ceiling of 50% of the lowest price. These are examples & not a complete listing of all drugs affected. Attached: charts on various drugs	VAC MDL 64240 - 64246
100.	July 9, 1999	Fax to Bill Shrigley, OIG, from Ven-A-Care regarding FUL	VAC MDL 94149-94159
101.	August 9, 1999	Facsimiles from Ven-A-Care to Bill Shrigley, OIG, and T. Reed Stephens, U.S. DOJ, regarding FUL and Bristol Myers	VAC MDL 94130-94138 VAC MDL 94139-94147
102.	August 19, 1999	Fax to Bill Vaughan from Zach Bentley - we now have 2 drugs in the top 10 - attaches chart on Ipratropium and page entitled Top HME Medicare Codes Ranked by Expenditures	VAC MDL 64215 - 64218

Tab Number	Date	Description	Reference
103.	August 31, 1999	Fax to Ven-A-Care from Bill Vaughan - Press Release: Drug Utilization Soars as Profits Soar - Stark cites new evidence for Medicare Pharmaceutical Payment Reform	VAC MDL 64226 - 64227
104.	August 31, 1999	Fax to Bill Vaughan from Zach Bentley re: Median Drug Info - attaches charts prepared by VAC including information regarding Ipratropium Bromide.	VAC MDL 64203 - 64214
105.	September 3, 1999	Fax to Ven-A-Care from Bill Vaughan - Press Release: Stark releases list of drug where Medicare Beneficiaries 20% co-Pay is actually higher than the cost of the drug to the provider.	VAC MDL 64224 - 64225
106.	September 3, 1999	Fax to Rob Vito including Ipratropium Bromide Chart as well as charts for other prescription drugs. Ipratropium chart includes wholesale cost, spreads and Medicare expenditures.	VAC MDL 43321 - 43332 VAC MDL 84319 - 84330
107.	April 6, 2000	Presentation to Suzanne Durrell, Assistant United States Attorney and other personnel in the District of Massachusetts regarding filing initial Boston Complaint.	
108.	April 7, 2000	Disclosure Letter to Janet Reno, Attorney General, and Donald K. Stern, United States Attorney, District of Massachusetts	VAC MDL 91359 - 91361
109.	May 31, 2000	Fax to Rob Vito from Zach Bentley giving Florida Infusion and Baxter prices	VAC MDL 84356 - 84365

Tab Number	Date	Description	Reference
110.	June 2, 2000	<p>Fax Sheet to Chuck Clapton from Zach Bentley RE: DOJ/GAO - See 3<sup>rd</sup> paragraph of 2<sup>nd</sup> page of letter to Stark - "Second, the home . . . &amp; 3<sup>rd</sup> paragraph of page 4 Reasons for Suspending Further Work (1) The drug pricing information . . .</p> <p>Attaches</p> <p>(1) 5/29/96 letter to Breen from GAO "We understand that this information is currently under seal in connection with active litigation. GAO has experience handling sensitive material and will take appropriate measures to safeguard any information you provide against disclosure."</p> <p>(2) 6/6/96 letter to GAO from JJB "However, we have determined that Ven-A-Care should not provide this information directly to the GAO at this time while it is cooperating with the appropriate Government officials of the Executive Branch who have represented to Ven-A-Care that they are actively pursuing the matters raised by Ven-A-Care's information."</p> <p>(3) 10/11/96 letter to Pete Stark from GAO "This letter summarizes the information we have gathered to date, identifies the reasons why we have suspended our work, and informs you of our follow-up plans."</p>	VAC MDL 70849 - 70857
111.	July 6, 2000	Subpoena to Jim Breen from Chuck Clapton for Tom Bliley for Zachary Bentley to produce various documents.	VAC MDL 70095 - 70100
112.	July 13, 2000	Letter to Charles Clapton from Atlee Wampler re: working to respond to the subpoena	VAC MDL 70791 - 70793
113.	July 13, 2000	Letter to Charles Clapton from Zachary Bentley attaching excerpts from subpoenaed documents	VAC MDL 70794 - 70817

Tab Number	Date	Description	Reference
114.	July 18, 2000	Letter to Charles Clapton from Atlee Wampler attaching documents relevant to the 07/06/00 subpoena served on Zach Bentley by Congress attaching indexes of OIG documents	VAC MDL 70898 - 70930
115.	September 11, 2000	Letter to Edith Holleman, Esq. from Alison Simon, Esq. attaching document previously provided to the Committee on Commerce.	VAC MDL 70658 - 70790
116.	October 18, 2000	Disclosure Letter to Suzanne Durrell, Peter Levitt, and T. Reed Stephens adding Abbott Erythromycin drugs. Draft sent to T. Reed Stephens	VAC MDL 94120 - 94126
117.	October 23, 2000	Disclosure letter to Suzanne Durrell from Atlee Wampler regarding Abbott and Erythromycin	VAC MDL 94127- 94129
118.	December 1, 2000	Letter to Zach Bentley from Pete Stark - Thank you for your continued support	VAC MDL 64878
119.	January 19, 2001	Power Point Presentation to United States Attorney's Office District of Massachusetts regarding Dey, Warrick, Roxane and Bristol Myers.	VAC MDL 94160- 94294
120.	February 14, 2001	Disclosure Letter for First amended Complaint sent to John Ashcroft, Attorney General, and Donald K. Stern, United States Attorney, District of Massachusetts.	VAC MDL 98519 - 98521
121.	February 20, 2001	Letter to Peter Levitt providing additional wholesaler information including passwords to price databases.	VAC MDL 98523 - 98545
122.	September 7, 2001	Letter to Zachary Bentley from Mike Bilirakis and James Greenwood confirmation invitation for Zach to testify before Subcommittee on Health and Subcommittee on Oversight and Investigation on 09/12/01 - summary of details concerning the preparation and presentation of testimony	VAC MDL 70832 - 70837

Tab Number	Date	Description	Reference
123.	January 31, 2002	Disclosure Letter for Second Amended Complaint in District of Massachusetts given to John Ashcroft, Attorney General, and Michael Sullivan, United States Attorney, District of Massachusetts.	VAC MDL 91307 - 91309
124.	June 10, 2003	Fax to James Breen from Mark Paoletta, Esq attaching 06/10/03 letter to Zachary Bentley from Billy Tauzin and James Greenwood requesting all records related to spreads on drugs dispensed under the Medicaid Program	VAC MDL 70979 - 70981
125.	June 12, 2003	Fax to Mark Paoletta from Mark Jones attaching information on Paclitaxel	VAC MDL 70995 - 71024
126.	June 13, 2003	Fax to Mark Paoletta from Mark Jones attaching information on Oxycodone, Dolasetron, Irpratropium, Albuterol, Nifedipine,	VAC MDL 88159 - 88176
127.	June 24, 2003	Fax to Mark Paoletta from Luis Cobo attaching pricing information on Oxycodone, Dolasetron (Anzemet) and Granistron (Kytril)	VAC MDL 70961 - 70972
128.	June 24, 2003	Fax to Mark Paoletta and Brad Conway from Luis Cobo attaching information on a promotion for Buspirone from Ethex Corp.	VAC MDL 70973 - 70978
129.	January 26, 2005	Email from Alison Simon, counsel to Ven-A-Care, to Jamie Yavelberg, U.S. DOJ, attaching proposed exhibits to Third Amended Complaint in District of Massachusetts	VAC MDL 97939
130.	January 31, 2005	Email from Alison Simon, counsel to Ven-A-Care, to Laurie Oberembt, U.S. DOJ, attaching proposed Third Amended Complaint and exhibits to be filed by Relator in the District of Massachusetts.	VAC MDL 97940-98517



Tab Number	Date	Description	Reference
131.	February 15, 2005	Disclosure Letter for Third Amended Complaint District of Massachusetts sent to Gonzales, Sullivan, Oberembt & Henderson from Jonathan Shapiro	VAC MDL 91315 - 91358